

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): TAUCH et al.

Appl. No.: 09

704,725

Series Code ↑

Serial No. ↑

Filed: November 3, 2000

Hon. Commissioner of Patents  
Washington, D.C. 20231

Group Art Unit 1652

Examiner: R. HUTSON

Atty. Dkt. P 274355

Appl. Title: PLASMIDS FROM  
CORYNEBACTERIUM  
AND USE THEREOF

Sir:

**REPLY/AMENDMENT/LETTER**

Date: October 4, 2002

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject matter, which is incorporated herein by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

**FEE REQUIREMENTS FOR CLAIMS AS AMENDED**

## 1. Small Entity claim

A. ☒ NOT madeB. ☐ WithdrawnC. ☐ made herewithD. ☐ made previously

For B & C  
See Required  
Separate Paper  
(Pat-256)

Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims	25	**minus 23	2	x \$18/\$9 = + \$36	103/203
3. Independent Claims	13	***minus 5	8	x \$84/\$42 = + \$672	102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application) .....				+ \$280/\$140 = + \$0	104/204
5. Original due Date: September 4, 2002	<input type="checkbox"/> NONE				
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached	(1 mo)	\$110/\$55 =			115/215
	(2 mos)	\$400/\$200 =	+ \$110		116/216
	(3 mos)	\$920/\$460 =			117/217
	(4 mos)	\$1,440/\$720 =			118/218
	(5 mos)	\$1,960/\$980 =			128/228
7. Enter any previous extension fee paid since above original due date and subtract			- \$0		
8. Extension Fee			+ \$110		
9. If Terminal Disclaimer attached, add Rule 20(d) official fee .....			+ \$110/\$55	+ \$0	148/248
10. If IDS attached requires Official Fee under Rule 97 (c), .....			+ \$180	+ \$0	126
or if Rule 97(d) Request .....			+ \$180		126
11. After-Final Request Fee per rules 129(a) and 17(r) .....			+ \$740/370	+ \$0	146/246
12. No. of additional inventions for examination per Rule 129(b) .....			x \$740/370 ea	+ \$0	149/249
13. Request for Continued Examination (RCE) .....			+ \$740/370	+ \$0	1179/1279
14. Petition fee for .....				+ \$0	

15.

TOTAL FEE = \$818

16. \*If the entry in this space is less than entry in next space, the "Present Extra" result is "0".

17. \*\*If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.

18. \*\*\*If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

**PLEASE CHARGE  
OUR DEP. ACCT**

Our Deposit Account No. 03-3975)

(Our Order No. 21123 274355

C#

M#

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP  
Intellectual Property Group

By Atty: Thomas A. Cawley, Jr., Ph.D.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF  
TAUCH et al.

Appln. No.: 09/704,725

Filed: November 3, 2000

Confirmation No.: 7227

Group Art Unit: 1652

Examiner: R. HUTSON

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TECH CENTER 1600/2900

Title: PLASMIDS FROM CORYNEBACTERIUM GLUTAMICUM AND USE THEREOF

October 4, 2002

\* \* \* \* \*

AMENDMENT UNDER 37 C.F.R. § 1.111

Hon. Commissioner of Patents  
Washington, D.C. 20231

10/07/2002 SMINASS1 00000032 033975 09704725

01 FC:103 36.00 CH  
02 FC:102 672.00 CH

Sir:

This is in response to the official action dated June 4, 2002, wherein the claims were variously rejected under 35 U.S.C. §112, first and second paragraphs, 35 U.S.C. §102(a) and 35 U.S.C. §102(b). This response is timely filed as it is accompanied by a petition for an extension of time and the requisite fee.

The applicants respectfully traverse the rejections of the claims in view of the following amendment and remarks.

**I. AMENDMENT**

*Please amend the application as follows.*

**IN THE SPECIFICATION**

*Please amend the paragraph at page 5, lines 6-9 of the specification as follows.*

B<sup>1</sup> The present invention also provides novel composite plasmids that contain at least part of an active substance resistance region.

10/07/2002 SMINASS1 00000032 033975 09704725

03 FC:115 110.00 CH

**IN THE CLAIMS**

*Please amend claims 2 and 3 as follows.*

B<sup>2</sup> 2. (Amended) A plasmid capable of autonomous replication in bacteria of the genus *Corynebacterium*, said plasmid comprising: